2-23-06

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EXPRESS MAIL NO. EV 701 057 323 US ATTORNEY DOCKET NO.: 056409-5092-US PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Paul GAUDRON

Confirmation No.: 5559

Application No.: 10/632,790

Group Art Unit: 3677

Filed: August 4, 2003) Examiner: Katherine W. Mitchell

For: FASTENER FOR USE WITH FRANGIBLE MATERIAL

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

ISSUE FEE TRANSMITTAL REPLY

Sir:

In response to the Notice of Allowance and Fee(s) Due mailed from the USPTO on February 1, 2006, enclosed please find Form PTOL-85B entitled "Part B-Fee(s) Transmittal," and a copy thereof. For reasons explained below, please apply payment of the issue and publication fees in the amount of \$1,000 previously paid by the Applicant on January 3, 2006 (copy attached hereto as Exhibit A) towards the fee currently due as shown in the Notice of Allowance dated February 1, 2006. Payment of the issue fee for this application, therefore, has been fully satisfied already. In the event the USPTO does not or cannot credit our previous payment, only then please charge the issue and publication fees currently due of \$1,000, and any additional fees that may be required, to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310.

Applicant originally received Notice of Allowability from the USPTO bearing a mailing date of October 3, 2005 (copy attached hereto as Exhibit B). However, a Notice of Allowance and Fee(s) Due and Form PTOL-85B entitled "Part B-Fee(s) Transmittal were <u>not</u> enclosed. Applicants contacted the USPTO and informed the Office of the deficiency. We were advised that the missing documents should be forthcoming. Since the missing Notice of Allowance and

ATTORNEY DOCKET NO.: 056409-5092

Application No. 10/632,790

Page 2

Fee(s) Due and Form PTOL-85B were not received within three months from the mailing date of

the Notice of Allowability, Applicant prepared its own Form PTOL-85B and prospectively paid

the issue fee on January 3, 2006 to avoid possible abandonment of the application (see Exhibit A

hereto). The current Notice of Allowance and Fee(s) Due and Form PTOL-85B dated February

1, 2006 was subsequently received by the Applicant.

The Office is respectfully requested to contact the undersigned if there are questions

related to this matter.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 21, 2006

By:_

Frank J. Spanitz

Reg. No. 47,104

CUSTOMER NO. 009629 MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Tel: 202-739-3000 Fax: 202-739-3001

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

U.S. Patent Application of: Paul GAUDRON

Application No.: 10/632,790

Date Filed: August 4, 2003

Group Art Unit: 3677

Date Allowed: October 3, 2005

Confirmation No: 5559

For: FASTENER FOR FRANGIBLE MATERIAL

ATTN: MAIL STOP ISSUE FEE

1. Deposit Account #50-0310 in the amount of \$1,000.00 (\$700.00 for Issue Fee and \$300.00 for Publication Fee)

2. Issue Fee Transmittal PTOL-85B (2 copies)

Dated: January 3, 2006

Attorney Docket No.: 056409-5092

FEM/FJS/bmr







PART B - FEE(S) TRANSMIT

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 (571) 273-2885

or Fax

	INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUE appropriate. All further correspondence including the Patent, advance orders and notificate indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a net maintenance fee notifications. CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)				Note: A certificate of mailing can only be used for domestic mailines of			
09629	10,	/3/05		papers. Each additionable its own certific	papers. Each additional paper, such as an assignment or formal drawing, nearer its own certificate of mailing or transmission.			
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004				Certificate of Mailing or Transmission I hereby certify that this Foc(s) Transmittal is being deposited with the Us States Postal Service with sufficient postales for first class mail in an cave addressed to the Mail Stop ISSUE FEE address above, or being faces transmitted to the USPTO (571) 273-2885, on the date indicated below.				
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APPLICATION NO.	FILING DATE		FIRST NAME	DINVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/632,790	08/04/2003		ul Gaud		056409-5092	5559		
TILE OF INVENTION:	FASTENER FOR I	FRANGIBLE	MATERIA	L ·				
APPLN, TYPE	SMALL ENTITY	ISSUE FE	EE.	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE		
Utility	Yes	\$700.0	0	\$300.00	\$1000.00	1/03/06		
EXAM	ONER	ART UNI	п	CLASS-SUBCLASS	7			
Mitchell, 1	Katherine W.	367	7		J			
PTO/SB/47; Rev 03-02 of Number is required.	ion (or "Fee Address" Indica or more recent) attached. Use	of a Customer	2 registered listed, no na	e of a single firm (having as storney or agent) and the nan patent attorneys or agents. It sme will be printed.	nes of up to			
	RESIDENCE DATA TO BE	PRINTED ON TH	HE DATENT	(maint on trans)				
ASSIGNEE NAME AND PLEASE NOTE: Unless recordation as set forth in	an assignee is identified bel 37 CFR 3.11. Completion o	E PRINTED ON TH low, no assignee di f this form is NOT	HE PATENT (lata will appea a substitute fo	(print or type) ar on the patent. If an assign ar filing an assignment.	nce is identified below, the do	cument has been filed		
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ASSIGNEE NAME AND PLEASE NOTE: Unless recordation as set forth in (A) NAME OF ASSIGNE Power Product case check the appropriate of the following fec(s) are expended in the following fec(s) are expenses and publication fee (No small publication fee) Director of the USPTO is the fee and publication fee (No small publication fee)	an assignee is identified bel 37 CFR 3.11. Completion of EE. S. III., L.L.C. assignee category or categori inclosed: all entity discount permitted copies from status indicated above) ALL ENTITY status. See 37	cs (will not be print 4b. F	ata will appear a substitute for RESIDENCE New Ro ted on the pate and	ar on the patent. If an assign refiling an assignment. : (CITY and STATE OR CO: chelle, New You credit card. Form PTO-2038 or is hereby authorized by che Number 50-0310. It is no longer claiming SMAL or to re-apply any previously her than the applicant; a register.	UNTRY) ck exporation or other private groundlessed, is attached, arge the required fee(s), or cm (enclose an extra copy	p entity Government edit any overpsyment, to y of this form).		

This collection of information is re an application. Confidentiality is a submitting the completed applicat this form and/or suggestions for re Box 1450, Alexandria, Virginia 22 Alexandria, Virginia 22313-1450. ETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patenta, P.O. Box 1450,

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

. PART B - FEE(S) TRANSMITT Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 (571) 273-2885 or Eax INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed when appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be smalled to the current correspondence address; and/or (b) indicating a separate "FEE ALDRESS" & maintenance fee notifications. CURRENT CORRESPONDENCE ADDRESS (Note: Use Block) for any change of address Note: A certificate of mailing can only be used for domestic small Fee(s) Transmitted. This contribute cannot be used for any other app papers. Each additional paper, such as an assignment or formal drawi-have its own cartificate of mailing or transmission. 10/3/05 09429 Cortificate of Mailing or Transmission
I haveby cartify that this Fos(s) Transmissal is being deposited with
Status Fostal Service with sufficient possess for first claim small is addressed to the Mail Stop ISSUE FEEE address shows, or being
transmitted to the USPTO (571) 273-2885, on the date indicated be MORGAN LEWIS & BOCKIUS LLP d with the 1111 PENNSYLVANIA AVENUE NW **WASHINGTON, DC 20004** æ APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/632.790 08/04/2003 Paul Gaudron 056409-5092 5559 TTILE OF INVENTION: FASTENER FOR FRANGIBLE MATERIAL APPLN. TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE \$700.00 \$300.00 \$1000.00 1/03/06 Utility Yes EXAMINER ART UNIT CLASS-SUBCLASS Mitchell, Katherine W. 3677 Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, MORGAN LEWIS & ☐ Change of correspondence address (or Change of Correspondence Address form FTO/SB/122) statched. BOCKIUS LLP (2) the name of a single firm (having as a member a registered attempty or agent) and the names of up to 2 registered patent attempty or agents. If no name is listed, no name will be printed. "Fee Address" indication (or "Fee Address" Indication forms FTO/SB/47; Rev 03-02 or more recent) strached. Use of a Caste Number is required. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless as assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filled for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filling an assignment, (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) New Rochelle, New York Power Products III, L.L.C. Please check the appropriate assignee entegory or categories (will not be printed on the patent): 🔲 Individual 🖾 Corporation or other private group entity 🔘 Government 4a. The following foc(s) are enclosed: 4b. Payment of Fee(s): XX Issue For A check in the amount of the fee(s) is enclosed. XII Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized by charge the required fee(s), or credit say overpayme Deposit Account Number 50-0310 (enclose as extra copy of this form). Advance Order - # of Copies

5. Change in Eatily Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

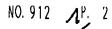
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

(short J. Grandel **Authorized Signature** Typed or printed office Frank J. Spanitz

January 3, 2006 47,104 Registration No.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commence, P.O. Box 1450, Alexandria, Virginia 22313–1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patenta, P.O. Box 1450, Alexandria, Virginia 22313–1450.

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UNITED STATES DEPARTMENT OF COMMERCE United Stares Parent and Trademark Office Address COMMISSIONER FOR PATENTS P. Dec 1459 Alcandria, Virginia 22313-1450

APPLICATION NO.	PI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/632,790	10/632,790 08/04/2003		Paul Gandron	056409-5092	5559	
9629	7590	10/03/2005		EXAMINER		
MORGAN LEWIS & BOCKIUS LLP				MITCHELL, KATHERINE W		
		A AVENUE NW		ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20004			YKI ANTI	FAPER NORMAN		

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Docksted 10/6/85 Attorney FEM/EJS

Case 56409-5092

Due Dete Danuary 3, 2006

Action 1550e Fee

By GP Chik

RECEIVED

OCT 05 2005

MORGAN, LEWIS & BOCKIUS LLP

56409-5092 DOCKETED By <u>GO</u> Date <u>1016/</u>55

	Application No.	Applicant(s)	
	10/632,790	GAUDRON, PAUL	,
Notice of Allowability	Examiner	Art Unit	
	Katherine W. Mitchell	. 3677	
- The MAILING DATE of this communication ap All claims being allowable, PROSECUTION ON THE MERITS herewith (or previously mailed), a Notice of Allowance (PTOL-6 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT of the Office or upon petition by the applicant. See 37 CFR 1.3	IS (OR REMAINS) CLOSED in t 35) or other appropriate commun RIGHTS. This application is su	his application. It not included lication will be mailed in due cours	e. THIS 1e initiath/e
1. This communication is responsive to <u>8/5/2005</u> .			
2. X The allowed claim(s) is/are 1-3,10,11 and 13-16.			
3. The drawings filed on 04 August 2003 are accepted by t	he Examiner.		
4. Acknowledgment is made of a claim for foreign priority a) All b) Some* c) None of the: 1. Certified copies of the priority documents hat 2. Certified copies of the priority documents hat 3. Copies of the certified copies of the priority documents hat international Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATING the priority of timely comply will result in ABANDON THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be sufficiently application of the properties of the priority of the Notice of Draftsperior (a) including changes required by the Notice of Draftsperior (b) hereto or 2) to Paper No./Mail Date Identifying Indicia such as the application number (see 37 CFR	ave been received. ave been received in Application documents have been received in E* of this communication to file a NMENT of this application. Domitted. Note the attached EXAMINES reason(s) why the oath or do not be submitted. Berson's Patent Drawing Review (No in this national stage application from this national stage application from the requirement of the complying with the requirement. ### MINER'S AMENDMENT or NOTICE lectaration is deficient. ###################################	nents E OF
each sheet. Replacement sheet(s) should be labeled as such in T. DEPOSIT OF and/or INFORMATION about the department attached Examiner's comment regarding REQUIREMEN	n the header according to 37 CFR posit of BIOLOGICAL MATER	1.121(d). RIAL must be submitted. Note th	
Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SE Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. Interview Sum Paper No./Mi 8/08), 7. Examiner's Ar 8. Examiner's St 9. Other	mmal Patent Application (PTO-152) mmary (PTO-413), ail Date <u>20050828</u> mendment/Comment atement of Reasons for Allowance	